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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RICKEY LEE GORMAN,
Plaintiff(s),

v.

BRITTANY TAMASO, et al.,
Defendant(s).

Case No. 2:22-cv-01678-JAD-NJK

ORDER

[Docket Nos. 1, 3]

13 Pending before the Court are Plaintiff's application to proceed in this action *in forma*
14 *pauperis*, Docket No. 1, and amended application to proceed *in forma pauperis*, Docket No. 3.
15 The Court **DENIES** the initial application (Docket No. 1) as moot. Subject to the conditions
16 outlined below, the Court **GRANTS** the amended application (Docket No. 3).

17 Plaintiff must pay an initial partial filing fee of the greater of twenty percent of the average
18 monthly deposits or twenty percent of the average monthly balance of his account for the six
19 months immediately preceding the commencement of this action. *See* 28 U.S.C. § 1915(b)(1).
20 Plaintiff's average monthly balance is \$67.37, and his average monthly deposit is \$113.50.
21 Therefore, the Court finds that Plaintiff must pay an initial partial filing fee of \$22.70.

22 Accordingly, **IT IS ORDERED:**

23 1. Plaintiff's amended application to proceed *in Forma Pauperis* (Docket No. 3)
24 without having to prepay the full filing fee is **GRANTED**. However, Plaintiff shall be required to
25 pay an initial installment fee in the amount of \$22.70 toward the full filing fee of \$350. Plaintiff
26 must have the designated fee sent to the Clerk's Office no later than **December 1, 2022**. Failure
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1 to do so may result in dismissal of this action. Furthermore, even if this action is dismissed, the
2 full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).¹

3 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
4 prepayment of any additional fees or costs or the giving of security therefor. This Order granting
5 *in forma pauperis* status shall not extend to the issuance and/or service of subpoenas at government
6 expense.

7 3. The Clerk's Office shall provide Plaintiff with two copies of this Order. Plaintiff
8 is ordered to make the necessary arrangements to have one copy of this Order attached to the check
9 in the amount of the designated fee.

10 4. The Clerk's Office shall send a copy of this Order to the attention of the inmate
11 accounts department at Clark County Detention Center, 3330 South Casino Center Boulevard, Las
12 Vegas, Nevada 89101. Pursuant to 28 U.S.C. § 1915(b)(2), Clark County Detention Center shall
13 forward to the Clerk of the United States District Court, District of Nevada, twenty percent of the
14 preceding month's deposits to Plaintiff's inmate trust account (in the months that the account
15 exceeds \$10.00) until the full \$350 filing fee has been paid for this action.

16 5. The Clerk's Office shall provide a copy of this Order to the Finance Division of the
17 Clerk's Office.

18 IT IS SO ORDERED.

19 Dated: October 31, 2022

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21 _____
22 Nancy J. Koppe
23 United States Magistrate Judge
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27 ¹ After it has received the partial filing fee as ordered herein, the Court will screen
28 Plaintiff's complaint as required by 28 U.S.C. § 1915. Nothing in this order should be construed
as suggesting that the Court will allow any of Plaintiff's claims to proceed past the screening phase.